

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GREGORY C. REISING,

)

4:09CV3129

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Petitioner,

)

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v.

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**MEMORANDUM
AND ORDER**

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NEBRASKA DEPARTMENT OF
CORRECTIONAL SERVICES,

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Respondent.

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This matter is before the court on Petitioner's Motion for Discovery (filing no. [16](#)) and Miscellaneous Filing (filing no. [18](#)), and Respondent's Objection to Motion for Miscellaneous Relief (filing no. [19](#)). In [Filing Number 16](#), Petitioner seeks the production of various pages from his presentence investigation report. In [Filing Number 18](#), Petitioner seeks the production of various briefs and documents filed in state court.

According to the progression order entered by this court on September 3, 2009, Respondent has until October 18, 2009, to file all state court records that are relevant to Petitioner's cognizable claims. (See filing no. [20](#) at CM/ECF pp. 4-7.) Thus, Petitioner's requests for additional documents are premature and will be denied without prejudice to reassertion. Accordingly, Respondent's Objection to Motion for Miscellaneous Relief is also denied.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion for Discovery (filing no. [16](#)) is denied.
2. Respondent's Objection to Motion for Miscellaneous Relief (filing no. [19](#)) is denied.

October 6, 2009.

BY THE COURT:

Richard G. Kopf

United States District Judge

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